IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 19TH JANUARY 2007 / 29TH PAUSHA 1928

WP(C).No. 32507 of 2006(T)

PETITIONER:

ANSELKUTTY T., S/O. LATE A.THOMAS,
AGED 41 YEARS, NEDUVILA VEEDU,
KARIKUZHY, PADAPPAKKARA P.O., MULAVANA (VIA),
KOLLAM - 691 503.

BY ADV. SRI.R.SATISH KUMAR

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT,
DEPARTMENT OF URBAN AFFAIRS, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF MUNICIPAL
ADMINISTRATION, URBAN AFFAIRS,
THIRUVANANTHAPURAM.

3. KERALA PUBLIC SERVICE COMMISSION,
REPRESENTED BY ITS SECRETARY,
PATTOM, TRIVANDRUM.

4. THE REGIONAL OFFICER,
KERALA PUBLIC SERVICE COMMISSION,
REGIONAL OFFICE, ERNAKULAM.

R1 & 2 BY GOVT. PLEADER SHRI. BIJOY CHANDRAN
R3 & 4 BY ADV. SRI.P.C.SASIDHARAN, SC, KPSC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K. DENESAN, J.

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W.P.(C) No. 32507 OF 2006 T
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Dated this the 19th January, 2007

J U D G M E N T

The petitioner, admittedly, is a candidate included in the rank list published by the Public Service Commission for appointment to the post of Junior Health Inspector Grade II in the Municipal Common Service. The rank of the petitioner is No. 1 in the supplementary list of OX candidates. According to the petitioner, the Commission failed to advise sufficient number of candidates against vacancies reported prior to the cancellation of the list on 31-12-2004.

2. Counsel for the Commission with reference to the statements contained in the counter affidavit filed on behalf of respondents 3 and 4 submits that altogether 389 vacancies were reported and the Commission has advised candidates against all vacancies reported prior to 31-12-2004 including N.J.D. vacancies. OX candidates are entitled to get appointment based on reservation only against one per cent of the vacancies. Their place in a 100 point

roster is 48. The Commission advised candidates upto 312 in the main list. There are 3 more candidates belonging to OX category in the main list. Therefore only if 100 more vacancies are reported the next candidate in the main list belonging to OX category can expect to get advice for appointment. Therefore the petitioner does not have even the remotest chance of getting appointment. Vacancies, if any, reported to the Commission after 31-12-2004 cannot be utilised for advising candidates from the list that stands cancelled. Hence there is no scope for granting reliefs to the petitioner. The writ petition is therefore dismissed.

K.K. DENESAN
JUDGE

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